



**CITY OF MARLBOROUGH**  
**City Council Agenda**

Monday, May 9, 2022  
8:00 PM

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2022 MAY -5 P 1:40

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website ([www.marlborough-ma.gov](http://www.marlborough-ma.gov)).

1. Minutes, City Council Meeting, April 25, 2022.
2. PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new pole and remove the old pole and install underground cable for city work around the pump station on Cullinane Drive, Order No. 22-1008586.
3. PUBLIC HEARING on the Proposed Fiscal Year 2023 Budget as submitted by Mayor Vigeant in the amount of \$181,260,899.00 which represents a 4.18% increase over the Fiscal Year 2022 appropriation, Order No. 22-1008584.
4. PUBLIC HEARING on the Application for a Special Permit and Site Plan Approval from Cellco Partnership d/b/a Verizon Wireless to install a new stealth Wireless Communication Facility, including an 80-foot stealth pole with accessory ground equipment at 739-769 Donald J. Lynch Boulevard, Order No. 22-1008570.
5. PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of Alta Marlborough, LLC (Wood Partners), to build a mixed-use project in the Neighborhood Business District consisting of 10,074 square feet of ground floor retail and commercial space, 276 dwelling units in addition to an on-site parking garage with 448 spaces to be located at the corner of Lincoln and Mechanic Streets, Order No. 22-1008572.
  - a) Communication from Jared Saad of Canty Brothers Construction, re: Letter of support for the Special Permit on the proposal by Alta Marlborough, LLC (Wood Partners) for a mixed-use project at the corner of Lincoln and Mechanic Streets.
6. PUBLIC HEARING on the Proposed Zoning Amendment from Attorney Brian Falk on behalf of Alta Marlborough, LLC (Wood Partners), to Chapter 650 §39 "Neighborhood Business District", Order No. 22-1008571.
7. Communication from Solicitor Jason Grossfield, re: City Council Orders 21/22-1008402A-3 and 21/22-1008402B-4 regarding opinion on ambiguity associated with the two (2) Orders and any suggested wording to resolve same.

**Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.**

8. Communication from the Planning Board, re: Favorable Recommendation on the Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158, Order No. 21/22-1008475C.
9. Petition from Massachusetts Electric, to replace three (3) sections of direct buried cable and replace with new primary cable in conduit on Stone Hill Road.
10. Application for Renewal of Junk Dealer/Secondhand Dealer License, Jean Rabelo, d/b/a Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road East.
11. Notice from Attorney Brian Falk on behalf of Alta Marlborough, LLC (Wood Partners), re: Notice of a Balloon Test relative to the proposed project at Lincoln and Mechanic Streets to occur on Wednesday, May 18, 2022, at 5:00 PM.
12. Communication from National Grid, re: Notice of potential work relative to their current Vegetation Management Plan.
13. Minutes of Boards, Commissions and Committees:
  - a) Commission on Disabilities, August 3, 2021 & March 8, 2022.
  - b) Library Trustees, April 5, 2022.
  - c) Traffic Commission, March 2, 2022.
  - d) Zoning Board of Appeals, April 5, 2022.
14. CLAIMS:
  - a) Richard Aldrich, 117 Bolton Street, other property damage and/or personal injury.
  - b) Karolyn Gowaski, 126 Langelier Lane, residential mailbox claim (2a).
  - c) Thomas Tucker, 11 Hawkins Lane, residential mailbox claim (2b).

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

##### From Finance Committee

15. **Order No. 22-1008567: Transfer Request in the amount of \$589,691.00 which moves funds from Economic Development to MEDC to fund the FY23 operations of the Marlborough Economic Development Corporation (MEDC).**

##### **Recommendation of the Finance Committee is to APPROVE.**

On a motion by Councilor Dumais, seconded by the Chair, the committee voted 5-0 to recommend approval of the MEDC FY2023 Operating Budget in the amount of \$589,691.00.

16. **Order No. 22-1008536A: Bond Request in the amount of \$500,000.00 (Five hundred thousand dollars) for the cost of reconstruction or making extraordinary repairs to the Sligo Hill Water Tank.**

**Recommendation of the Finance Committee is to APPROVE.**

DPW Commissioner Divoll explained funding for the companion \$1M maintenance program for the tanks is being funded by ARPA funds and the program includes all of the city's water tanks. Commissioner Divoll stated in the future a reoccurring budget request will be required to maintain the tanks. This bond will refurbish the Sligo Hill water tank which is in need of extraordinary repairs. Councilor Robey was concerned that ARPA funds were not being used to fund the entire project and reminded Councilors that the bond requires eight votes. On motion by Councilor Oram, seconded by the Chair, the committee voted 3 in favor, 2 (Dumais & Perlman) opposed (3-2) to recommend approval of the bond. Councilor Irish will ask Mayor Vigeant to forward the City Council a list of the projects being funded by ARPA.

17. **Order No. 22-1008536C: Bond Request in the amount of \$5,175,000.00 (Five million one hundred seventy-five thousand dollars) for the purpose of paying the cost of street construction.**

**Recommendation of the Finance Committee is to APPROVE.**

Commissioner Divoll and City Engineer DiPersio addressed the street construction bond. On a motion by Councilor Oram, seconded by the Chair, the committee voted 5-0 to approve the bond for street construction and reconstruction.

18. **Order No. 22-1008536D: Transfer Request in the amount of \$1,448,100.00 from Undesignated Fund (Free Cash) to various departmental Capital Requests.**

**Recommendation of the Finance Committee is to APPROVE.**

On a motion by Councilor Dumais, seconded by the Chair, the committee voted 5-0 to approve the Transfer of \$1,448,100.00 from Undesignated Fund to various departmental requests including the following capital items: fire squad truck, refurbishing pools, Evergreen Cemetery expansion project, school HVAC upgrades, Reservoir Street bump out and Public Works equipment.

From City Council

19. **Order No. 21/22-1008402A-3: Mayoral Veto relative to the Proposed Order to authorize the purchase of 100 Locke Drive for a west side Fire Station.**

**Action postponed until the May 9, 2022, City Council meeting, and further that the Solicitor provide written clarification regarding the ambiguity of the Order and suggested wording to resolve the ambiguity at the May 9, 2022, City Council meeting.**

20. **Order No. 21/22-1008402B-4: Mayoral Veto relative to the Transfer Request in the amount of \$5,092,666.66 for the acquisition of 100 Locke Drive for a new Fire Station.**

**Action postponed until the May 9, 2022, City Council meeting, and further that the Solicitor provide written clarification regarding the ambiguity of the Order and suggested wording to resolve the ambiguity at the May 9, 2022, City Council meeting.**